



COMMUNITY DEVELOPMENT DEPARTMENT

17555 Peak Avenue Morgan Hill CA 95037 (408) 779-7247 Fax (408) 779-7236

Website Address: www.morgan-hill.ca.gov

PLANNING COMMISSION MEETING MINUTES

REGULAR MEETING

JANUARY 14, 2003

PRESENT: Acevedo, Benich, Engles, Lyle, Mueller, Weston

ABSENT: None

LATE: Escobar, who arrived at 7:06 p.m. and was seated on the dias at that time

STAFF: Planning Manager (PM) Rowe, Director of Business Assistance and Housing Services (DBAHS) Toy, and Minutes Clerk Johnson

Chair Acevedo called the meeting to order at 7:02 p.m.

DECLARATION OF POSTING OF AGENDA

Minutes Clerk Johnson certified that the meeting's agenda was duly noticed and posted in accordance with Government Code Section 54954.2.

OPPORTUNITY FOR PUBLIC COMMENT

Chair Acevedo opened the public hearing.

Commissioner Weston asked to address a matter of concern not on the agenda. He said that in the project status report, he noticed that the In 'n Out Burger project was scheduled to be reviewed by the Architectural Review Board (ARB) before the Planning Commission sees it again. Reminding that a recent project had several suggested changes when the Commissioners viewed the plans, Commissioner Weston wondered at the strategy of having the ARB review the plans, perhaps giving the impression that the issue would be virtually closed when being returned to the Commissioners.

PM Rowe responded that the ARB will be looking at the application on a preliminary basis only. He cited the Gateway project where about 90% of the discussion on the building design had been completed at the Planning Commission and City Council levels, with little left to the ARB. PM Rowe stressed this is a preliminary step in the approval of In-N-Out Burger project plans to ensure that *all* decision makers peruse the plans.

There being no others present to address matters not appearing on the agenda, the public hearing was closed.

OTHER BUSINESS:

1) DRAFT COMPREHENSIVE HOUSING STRATEGY Draft work plan to develop a Comprehensive Housing Strategy (CHS) to address the use of Agency 20% Housing set-aside Funds to improve specific housing projects, match needs identified in the Housing Element, and meet the housing needs of all income groups with special emphasis on home ownership for moderate income households.

DBAHS Toy presented the staff report, noting that the City Council had been presented with the Consultant's report on the CHS in December, 2002; subsequently, the Council asked that the CHS report be distributed to interested parties, such as the Planning Commission, for comment and input then returned to the Council for action.

DBAHS Toy stressed that in the Redevelopment Project, the area production goals for affordable units have been met. He further stated that the City has been very successful in meeting the needs of low-income residents.

Referring to the report, DBAHS Toy discussed the proposed allocation of units for the very-low income, low income and moderate affordable income categories. He said the report targets homeowner assistance for the moderate income range. DBAHS Toy also cited that the 60 units allocated for senior housing will be reduced to maybe 30 units. The difference would be reallocated to the moderate income category.

DBAHS Toy indicated that there continues to be a need for affordable rental units.

Chair Acevedo opened the public hearing.

Noting that there were none present to address the issue, Chair Acevedo closed the public hearing.

Chair Acevedo opened discussion by stating that the title of the report "Draft Comprehensive Housing Strategy" was a misnomer in that only very-low income, low income and moderate affordable housing issues were addressed. He expressed a need for having other topics addressed: feathering on the City's perimeters and residential estates. Chair Acevedo stated that this report deals with affordable housing strategies for the City and the title should reflect that.

Commissioner Lyle indicated an opinion that the 'strategy' is really for the Redevelopment Agency and in many instances within the report, the tables are not reflective of affordable residential properties in the City. Citing page ii, Table 16, Commissioner Lyle said another column needs to be added for residences just outside the City. "Compared to the General Plan, this document lacks consistency." He continued that the information presented should take into account all the building in the City; the numbers and percentages must agree between the two documents.

Commissioner Mueller spoke on the importance of meeting RDA law as well as reflecting

what is really happening within the City. He continued that through Measure P the market rate will produce many more affordable homes than the plan presented. There is a requirement of 10% allocation for moderate income dwellings under the requirements of

Measure P. Commissioner Mueller proceeded to talk about the various levels of housing needed and provided for within the City.

Commissioner Lyle spoke on the limited transit orientation of the down town design, saying that it is not a 'good match' to put very-low or low income housing where goods and services are limited.

Commissioner Escobar remarked that allocation of housing is needed at all levels and that a blending of income dwelling availability will help achieve maximum use. He agreed with a statement by Commissioner Mueller, "The infrastructure is not in place now, but may be in the future." Commissioner Escobar said, "There is potential for the down town as a transportation hub - and that would be good for low-income residential development.

Chair Acevedo gave an overview of the existing low income areas of the City's down town. He mentioned that the opinions of the stakeholders were not prominent, but buried within the document.

Commissioner Engles suggested that it may be beneficial to consider moving the identified 340 very-low income allocations to a community where greater benefit could be derived.

Commissioner Lyle opined that the document is very income oriented, and that particularly where Seniors are concerned, the income figures are misleading. Many seniors own their homes outright or have substantial equity, he said. As they prepare to move to a smaller dwelling, there is more need for moderate rate housing.

Commissioner Engles followed this line of thinking, saying the report does not cover empty-nest residents, who wish to move to more suitable housing. He suggested that there is necessity to have more consideration given to high-end condos in the down town area.

Discussion ensued regarding the accuracy of age specific charts and tables in the report, with Commissioner Lyle pointing out discrepancies between the tables and narrative. DBAHS Toy indicated this is a draft document and discrepancies will be addressed.

Commissioner Mueller charged that it is difficult to ascertain which set of needs is being addressed in the report - RDA or ABAG? He stated that there is requirement for matching the numbers of the Housing Elements, and that as presented, the objectives are not being met by the published numbers. Commissioner Mueller continued that there are not many dollars available for the amount of work indicated, and that the City has 'a way to go' to meet the stated objectives of the report. He stressed the need to leverage funds.

DBAHS Toy said the City always strives to maximize funding as much as possible. Responding to a question, DBAHS Toy discussed the percentage of funds spent for the

administrative costs.

Commissioner Lyle commented that it important to identify overhead of projects and programs.

Commissioner Engles questioned if there is need to look at loan programs that don't have the intensity of City staff as he cited examples. He continued by addressing the 'caps' on loans to individuals. Discussion emanated regarding retention of ability to 'move up' when residents had purchased loan-supported dwellings, thus creating a 'gap' for the ability to 'move up' to larger dwellings. Commissioners agreed that the report does not clearly address the ability of persons to move to the next higher level of housing.

Commissioner Mueller asked DBAHS Toy to have the consultants develop a policy statement(s) to address the concerns raised. He stressed that each unit produced needs to count for the Housing Element requirements, thus maximizing the housing numbers for ABAG.

Commissioner Lyle agreed, stating that the issues in the Measure P updates should be included in a housing study.

Chair Acevedo called attention to those areas of the City where affordable housing (existing and projected) were identified in the updated General Plan. He said those housing units would blend well into neighborhoods. He continued by citing areas on the south side of the City where there would be facilities for transportation hubs, including rail and bus stops. Chair Acevedo said the City would be better served to try to locate affordable housing in areas other than down town.

Commissioner Weston asked for explanation of the comments in the document from the stakeholders, saying there needs to be clarity as to how the actual plan will be used.

Commissioner Benich asked for a change in the report to have the tables reflect the dollars that relate to the mention of very-low, low, and moderate incomes.

Commissioner Mueller requested that the report should identify implementation obstacles to meeting the identified strategies listed in the presented report.

Commissioner Benich requested that DBAHS Toy look into having a Teacher Assistance Program considered in the Housing Strategy Report, similar to that suggested for law-enforcement.

DBAHS Toy thanked the Commissioners, explaining that he would forward the comments and recommendations to the City Council in a future workshop.

2)TRANSFER OF Requesting a finding of consistency with the General Plan to allow for the transfer of the

PLANNING COMMISSION MINUTES

JANUARY 14, 2003

PAGE -5-

FIRE STATION PROPERTIES two City-owned fire station properties in Santa Clara County Central Fire Protection District.

PM Rowe presented the staff report, noting that in the two facilities are the 'El Toro Station' at the intersection of Old Monterey Road and Llagas Road; and the 'Las Lomas Station' at the intersection of East Dunne Avenue and Hill Road.

Chair Acevedo opened the public hearing.

With no persons present to address the matter, the public hearing was closed.

Recognizing that the typographical error needs to be corrected in the presented resolution and revised dates are required for the supporting documents, **COMMISSIONERS MUELLER/ESCOBAR OFFERED RESOLUTION NO. 03-01, MAKING A FINDING OF CONSISTENCY WITH THE GENERAL PLAN WITH REGARD TO THE DISPOSITION OF CITY-OWNED FIRE STATION PROPERTIES.**

Responding to a question from Commissioner Engles and for information purposes, Commissioner Mueller gave a historical overview of the contract and the events leading to the action in this vote.

THE MOTION PASSED BY THE FOLLOWING VOTE: AYES: ACEVEDO, BENICH, ENGLS, ESCOBAR, LYLE, MUELLER, WESTON; NOES: NONE; ABSTAIN: NONE; ABSENT: NONE.

**3) URBAN
LIMIT LINE
ADVISORY
COMMITTEE**

Staff is requesting the Planning Commission recommend appointment of two members to serve on the Urban Limit Line (Greenbelt) Study Advisory Committee.

PM Rowe gave the staff report, noting that the Scope of Work, including the time line, has been provided.

Commissioner Lyle observed the Scope of Work did not identify compensation for adjustments of lot lines.

PM Rowe responded that Project Objective 6 could be tentatively added to clear up technicalities. PM Rowe also addressed the duties of the Advisory Committee.

Commissioner Lyle also commented on the need for this Advisory Committee's work to 'mesh' with that of the Sphere of Influence, noting that it is difficult to assess the appropriateness of the urban limit line without considering the Sphere of Influence.

PM Rowe recalled that in the past, residents have strongly objected to any alteration to the Sphere of Influence and that is why it is not included in this study.

Commissioner Engles recommended that the work product from the consultants also include

PLANNING COMMISSION MINUTES

JANUARY 14, 2003

PAGE -6-

discussions with the Morgan Hill Unified School District. He also asked if the assessments to be completed in the project would provide information needed for the next 50 years? [Yes]

Chair Acevedo opened the public hearing.

With no persons present to address the matter, the public hearing was closed.

Chair Acevedo asked for volunteers from the Commissioners for recommendation to the City Council for appointment.

Commissioners Engles and Mueller indicated willingness to serve.

Commissioner Lyle stated that it is important for the ongoing work of the Advisory Committee to have Commissioners who have terms that extend beyond June, 2003. Both Commissioners Mueller and Engles, whose terms expire in June, intend to seek re-appointment.

CHAIR ACEVEDO MOVED TO RECOMMEND TO THE MORGAN HILL CITY COUNCIL THAT COMMISSIONERS ENGLES AND MUELLER BE APPOINTED AS REPRESENTATIVES OF THE PLANNING COMMISSION TO THE URBAN LIMIT LINE (GREENBELT) STUDY ADVISORY COMMITTEE. THE MOTION WAS SECONDED BY COMMISSIONER BENICH AND CARRIED WITH THE UNANIMOUS VOTE OF ALL COMMISSIONERS PRESENT.

ANNOUNCEMENTS:

Commissioner Engles called attention to the Training meeting scheduled for February 25, 2003 in Sacramento. He indicated his intention to attend.

PM Rowe informed that as to the recommendation from the Planning Commission regarding zoning for parking lot sales, the Council set the time limits as seven of 190 days, this being the only change in the recommendations sent to the Council by the Planning Commission; this action also occurred at the December 18, 2002 City Council meeting.

Commissioner Benich reported on his attendance at the San Jose's Coyote Valley Specific Plan Task Force meeting. He indicated that the emphasis of this meeting was the Habitat Conservation Plan and said that the City's Burrowing Owl study fit right on with the goals of the plan. Commissioner Benich also reported that the Task Force studies will be expanded to areas south of the San Jose. Discussing attendance with the Commissioners, it was ascertained that Commissioner Benich will most likely be the sole representative from Morgan Hill. Rebecca Tolentino will also attend as a representative of the Planning Department.

Commissioner Mueller reminded staff that he requested a confirmation report on the opening of Highway 101 widening project. PM Rowe said the current information is that the portion

PLANNING COMMISSION MINUTES

JANUARY 14, 2003

PAGE -7-

from Morgan Hill (approximately) six miles north will be completed by April, 2003.

ADJOURNMENT: There being no further business, Chair Acevedo adjourned the meeting at 8:43 p.m..

MINUTES RECORDED AND PREPARED BY:

JUDI H. JOHNSON, Minutes Clerk

R:\PLANNING\WP51\MINUTES\PCminutes\2003\January\PC011403_Min.wpd